

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JAMES WINANS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CASE NO. 5:22-cv-01793

JUDGE JAMES S. GWIN

OPINION & ORDER
[Resolving Docs. [2](#), [5](#)]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

On October 6, 2022, Plaintiff James Winans filed a complaint seeking judicial review of the Social Security Commissioner's denial of his application for benefits.¹ Winans also filed an *in forma pauperis* ("IFP") application.²

Magistrate Judge Thomas M. Parker recommended that the Court deny Winans' IFP application.³ Winans did not object to the Report and Recommendation.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection.⁴ Absent objection, a district court may adopt the Magistrate Judge's report without review.⁵ Moreover, this Court agrees with the Magistrate Judge's conclusions.

¹ Doc. [1](#).

² Doc. [2](#).

³ Doc. [5](#).

⁴ [28 U.S.C. § 636\(b\)\(1\)](#).

⁵ [Thomas v. Arn, 474 U.S. 140, 149 \(1985\)](#).

Case No. 1:22-cv-00677
GWIN, J.

While Winans is unemployed and has no income, he has \$3,700 in cash, \$1,700 in a checking account, a house valued at \$165,000, and stock assets valued at \$5,500.⁶ The Court finds that Winans can pay the Court's \$402 filing fee without undue hardship.

Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation and **DENIES** Winans' IFP application.

IT IS SO ORDERED.

Dated: February 17, 2023

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁶ Doc. [2](#).